

Robert J. Birch, Esquire  
Id. No. 65816  
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Norristown, PA 19401  
(610) 277-9700

Attorney for Plaintiff

ECI, LLC	:	
Plaintiff	:	
	:	COURT OF COMMON PLEAS OF
	:	MONTGOMERY COUNTY
v.	:	
CAMPISI CONSTRUCTION, INC. ET. AL	:	NO. 2011-12517
Defendant	:	
	:	JURY TRIAL DEMANDED

**ECI'S REPLY TO THE ANSWER OF THE CHAPTER 7 TRUSTEE TO THE MOTION  
TO APPROVE DISPOSITION OF ABANDONED EQUIPMENT TO THE  
SECURED CREDITOR, ECI, LLC, FREE AND CLEAR OF LIENS, CLAIMS,  
ENCUMBRANCES AND OTHER INTERESTS**

Plaintiff, ECI, LLC ("ECI"), by and through its undersigned counsel, files the within  
Reply to the Answer of the Chapter 7 Trustee Motion for Order authorizing a Rule 2004  
Examination, and avers as follows:

There is absolutely no incorrect assertions in ECI's Motion. ECI never stated or implied  
that the Trustee took part in any preparation or signature of any documents regarding the  
Equipment at issue in ECI's Motion. However, the Trustee was specifically asked whether he  
objected to ECI peacefully collecting and assembling the Equipment once it was abandoned and  
the Trustee's response was "no objection". Further, the Trustee was specifically asked whether  
he objected to ECI filing a UCC-1 to perfect its security interest in the Equipment and the  
response was "no objection". Attached hereto as Exhibit "A" is the Trustee's responses.

Respectfully,

*/s/ Robert J. Birch*

Dated: September 27, 2016

Robert J. Birch, Esquire

**EXHIBIT A**

**EXHIBIT A**

**From:** DiDonato, Edward J. [mailto:EDiDonato@foxrothschild.com]

**Sent:** Friday, June 17, 2016 1:40 PM

**To:** Tom Muldoon <tpm@fsm-law.com>

**Subject:** Re: ucc-1

No objection

Edward J. DiDonato

Fox Rothschild, LLP

Business & Bankruptcy Law

[edidonato@foxrothschild.com](mailto:edidonato@foxrothschild.com)

On Jun 17, 2016, at 1:20 PM, Tom Muldoon <[tpm@fsm-law.com](mailto:tpm@fsm-law.com)> wrote: .

Any objection to him to attempt to gather/assemble the equipment?

**From:** DiDonato, Edward J. [<mailto:EDiDonato@foxrothschild.com>]  
**Sent:** Friday, June 17, 2016 1:13 PM  
**To:** Tom Muldoon <[tpm@fsm-law.com](mailto:tpm@fsm-law.com)>  
**Subject:** Re: ucc-1

No objection from the trustee

Edward J. DiDonato  
Fox Rothschild, LLP  
Business & Bankruptcy Law  
[edidonato@foxrothschild.com](mailto:edidonato@foxrothschild.com)

On Jun 17, 2016, at 1:01 PM, Tom Muldoon <[tpm@fsm-law.com](mailto:tpm@fsm-law.com)> wrote:

<image001.gif>

Ed,

Hope all is well on your end.

Please let me know if you have an objection to ECI filing the UCC1 on the equipment that was abandoned in order to protect its interest.

If no objection is received by June 22, 2016, I will assume you consent and will instruct ECI to file.

Thank you,

Tom

**Thomas P. Muldoon, Jr., Esquire**  
Muldoon & Shields, LLC  
1500 Walnut St. - Suite 1207  
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215-545-1799 - fax  
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